

Statutes of Upper-Canada, Passed in the third session of the second provincial parliament (1798). From The Provincial Statutes of Upper-Canada: Revised, Corrected, and Republished (York, R. C. Horne, 1818.)

38 George III – Chapter 5

The following Act passed the Legislative Council and House of Assembly in the thirty-eighth year of George the Third, but the Royal Assent was reserved for the signification of His Majesty's pleasure.

An Act for the better Division of this Province.

(The Royal Assent to this Act was promulgated by Proclamation, bearing date January first, in the year of Our Lord One thousand eight hundred, and fortieth of His Majesty's Reign.)

For the better Division of this Province; Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province,"" and by the authority of the same, That the Townships of Lancaster (a), Charlottenburg and Kenyon, together with the tract of land claimed by the St. Regis Indians, and such of the Islands in the River Saint Lawrence as are wholly, or in greater part opposite thereto, shall constitute and form the County of Glengary [Glengarry].

II. And be it further enacted by the authority aforesaid, That the Townships of Cornwall, Osnaburg [Osnaburgh], Finch and Roxburg, together with such of the Islands in the River Saint Lawrence as are wholly, or in greater part opposite thereto, shall constitute and form the County of Stormont.

III. And be it further enacted by the authority aforesaid. That the Townships of Williamsburg, Matilda, Mountain and Winchester, with such of the Islands in the River St. Lawrence as are wholly, or in greater part opposite thereto, do together, constitute and form the County of Dundas.

IV. And be it further enacted by the authority aforesaid, That the Townships of Hawkesbury, Longueil, with the tract of land in its rear, Alfred and Plantagenet, with such of the Islands in the Ottawa River as are wholly, or in greater part opposite thereto, shall constitute and form the County of Prescott.

V. And be it further enacted by the authority aforesaid, That the Townships of Clarence, Cumberland, Gloucester, Osgoode, Russel and Cambridge, with such of the Islands in the River Ottawa as are wholly, or in greater-part opposite thereto, shall constitute and form the County of Russell.

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VI. And be it further enacted by the authority aforesaid; That the Counties of Glengary, Stormont, Dundas, Prescott and Russell (a), do constitute and form the Eastern District.

VII. And be it further, enacted by the authority aforesaid, That the Townships. of Edwardsburg, Augusta, Wolford, Oxford on the Rideau, Malborough, Montague and Gower, called North and South Gower, together with such of the islands in the River Saint Laurence as are wholly or in greater part opposite thereto, shall constitute and form the County of Grenville.

VIII. And be it further enacted by the authority aforesaid, That the Townships of Elizabeth-Town [Elizabethtown], Yonge, (including what was formerly called Escot) Lansdown, Leeds, Crosby, Bastard, Burgess, Elmsley, and Kitley, together with such of the Islands in the River Saint Lawrence as are wholly, or in greater part opposite thereto, do constitute and form the County of Leeds.

IX. And be it further enacted by the authority aforesaid, That the Township of Nepean, with the tract of land to be hereafter laid out into Townships, between Nepean, and a line drawn north sixteen degrees west, from the north west angle of the Township of Crosby, until it intersects the Ottawa River, with such of the Islands in the said River as are wholly, or in greater part opposite thereto, shall constitute and form the County of Carleton.

X. And be it further enacted, by the authority aforesaid, That the Counties of Grenville, Leeds and Carleton, do constitute and form the District of Johnstown.

XI. And be it further enacted by the authority aforesaid, That Howe Island, and so much of the present County of Ontario as is wholly, or in greater part opposite to the Township of Pittsburg [Pittsburgh], be part of the said Township of Pittsburg.

XII. And be it further enacted, by the authority aforesaid, That Wolfe Island and Gage Island, and so much of the said County of Ontario as is wholly or in greater part opposite to the Township of Kingston, do constitute and form the Township of Wolfe Island.

XIII. And be it further enacted by the authority aforesaid, That the residue of the said County of Ontario, do constitute and form the Township of Amherst Island.

XIV. And be it further enacted by the authority aforesaid, That the Townships of Pittsburg, Kingston, Loughborough, Portland, Hinchinbroke, Bedford and Wolfe Island, do constitute and form the County of Frontenac.

XV. And be it further enacted by the authority aforesaid, That the Townships of Ernest-Town [Ernestown], Fredericksburg, Adolphustown, Richmond, Camden, (distinguished by being called Camden East,) Amherst Island, and Sheffield, do constitute and form the incorporated Counties of Lenox and Addington.

XVI. And be it further enacted by the authority aforesaid, That the Townships of Sydney, Thurlow, the tract of Land occupied by the Mohawks, Hungerford, Huntington and Rawdon, do constitute and form the County of Hastings.

XVII. And be it further enacted by the authority aforesaid, That the Town-ships of Ameliasburg, Hallowell, Sophiasburg, and Marysburg, with such-of the Islands in the Bay of Quinty and Lake Ontario, as are wholly, or in greater part opposite thereto, and such as were not formerly included in the County of Ontario, do constitute and form the County of Prince Edward.

XVIII. And be it further enacted by the authority aforesaid, That the Counties of Frontenac, the incorporated Counties of Lenox and Addington, Hastings, and Prince Edward, with all that tract of country which lies between the District of Johnstown and a line drawn north, sixteen degrees west from the north-west angle of the Township of Rawdon, till it intersects the northern limits of the Province, together with all the Islands in the Ottawa River wholly, or in greater part opposite thereto, do constitute and form the Midland District.

XIX. And be it further enacted by the authority aforesaid, That the Townships of Murray, Cramahe, Haldimand, Hamilton, Elnwick [Alnwick], Percy, and Seymour, with the peninsula of Newcastle, do constitute and form the County of Northumberland.

XX. And be it further enacted by the authority aforesaid, That the Townships of Hope, Clarke, and Darlington, with all the tract of land hereafter to be laid out into Townships, which lies to the southward of the small Lakes above the Rice Lake, and the communication between them and between the eastern boundary of the Township of Hope, and the western boundary of the Township of Darlington, produced north sixteen degrees west, until they intersect either of the said Lakes, or the communication between them, shall constitute and form the County of Durham.

XXI. And be it further enacted by the authority aforesaid, That the Townships of Whitby, Pickering, Scarborough, York, including its peninsula, Etobicoke, Markham, Vaughan, King, Whitchurch, Uxbridge, Gwillimbury, and the tract of land hereafter to be laid out into Townships, lying between the Counties of Durham and the Lake Simcoe, do constitute and form the East Riding of the County of York.

XXII. And be it further enacted by the authority aforesaid, That the Townships of Beverly and Flamborough, the latter divided into Flamborough East and West, so much of the tract of land upon the Grand River in the occupation of the Six Nation Indians, as lies to the northward of Dundas street, and all the land between the said tract and the East Riding of the County of York, with the reserved lands in the rear of the Townships of Blenheim and Blanford, do constitute and form the West Riding of the County of York.

XXIII. And be it further enacted by the authority aforesaid, That Matchedash, Gloucester, or Penetangueshine [Penetanguishene], together with Prince William Henry's Island, and all the land lying between the Midland District and a line produced due north from a certain fixed boundary

(at the distance of about fifty miles north-west from the outlet of Burlington Bay) till it intersect the northern limits of the Province, do constitute and form the County of Simcoe.

XXIV. And be it further enacted by the authority aforesaid, Counties of Northumberland, Durham, York, and Simcoe, do constitute and form the Home District.

XXV. Provided always, and it is hereby further enacted, That when, and so soon as the said Counties of Northumberland and Durham shall make it satisfactorily appear to the Governor, Lieutenant Governor, or Person administering the Government of this Province, that there are one thousand souls within the said Counties, and that six of the Townships therein do hold town-meetings according to law, then the said Counties, with all the land in their rear, confined between their extreme boundaries, produced north, sixteen degrees west, until they intersect the northern limits of the Province, shall, and are hereby declared to be a separate District, to be called the District of Newcastle. And the Governor, Lieutenant Governor, or Person administering the Government of the Province, is hereby authorised, upon such proof as aforesaid, to declare the same by Proclamation, any time within one year after the same shall be so established, as to him shall seem most fit.

XXVI. And be it further enacted by the authority aforesaid, That so much of the Township of Glandford [Glanford] as is now comprehended between the southern boundary of the Township of Binbrook, and the boundary of the Six Nation Indians land, be added to the said Township of Binbrook, and become part thereof.

XXVII. And be it further enacted by the authority aforesaid, That the Townships of Clinton, Grimsby, Saltfleet, Barton, Ancaster, Glanford, Binbrook, Gainsborough, and Caistor, do constitute and form the First Riding of the County of Lincoln.

XXVIII. And be it further enacted by the authority aforesaid, That the Townships of Newark, Grantham and Louth, do constitute and form the Second Riding of the County of Lincoln; Provided always, That the Town and Township of Newark, now generally called West Niagara, be henceforth declared and called the Town and Township of Niagara respectively.

XXIX. And be it further, enacted by the authority aforesaid, That the Townships of Stamford, Thorold and Pelham, do constitute and form the Third Riding of the County of Lincoln.

XXX. And be it further enacted, by the authority aforesaid, That the Townships of Bertie, Willoughby, Crowland, Humberstone, and Wainfleet, do constitute and form the Fourth Riding of the County of Lincoln.

XXXI. And be it further enacted by the authority aforesaid, That the tract of land on each side of the Grand River, now in the occupation of the Six Nation Indians, and laying to the southward and south-east of Dundas street, do constitute and form the County of Haldimand.

XXXII. And be it further enacted by the authority aforesaid, That the said Counties of Lincoln and Haldimand, with such of the Islands of this Province lying in the River Niagara, or Lake Erie, as are wholly, or in greater part adjacent thereto, together with the Beach at the head of Lake Ontario, between the outlet of Burlington Bay and the Township of Saltfleet, and together with the promontory between the said Burlington Bay and Coats Paradise, do constitute and form the District of Niagara.

XXXIII. And be it further enacted by the authority aforesaid, That the Townships of Rainham, Walpole, Woodhouse, Charlotteville, Walsingham, Houghton, Middleton, Windham, and Townsend, together with Turkey Point, and Promontory of Long Point, do constitute and form the County of Norfolk.

XXXIV. And be it further enacted by the authority aforesaid, That the triangular tract of land heretofore called Townsend Gore, be added to the Township of Burford, and to become part thereof.

XXXV. And be it further enacted by the authority aforesaid, That the Townships of Burford, Norwich, Dereham, Oxford upon the Thames, Blanford, and Blenheim, do constitute and form the County of Oxford.

XXXVI. And be it further enacted by the authority aforesaid, That the Townships of London, Westminster, Dorchester, Yarmouth, Southwold, Dunwich, Aldborough, and Delaware, do constitute and form the County of Middlesex.

XXXVII. And be it further enacted by the authority aforesaid, That the Counties of Norfolk, Oxford and Middlesex with so much of this Province as lies to the Westward of the Home District, and the District of Niagara, to the Southward of Lake Huron, and between them and a line drawn due north from a fixed boundary (where the easternmost limit of the Township of Oxford intersects the River Thames) till it arrives at Lake Huron, do constitute and form the District of London.

XXXVIII. And be it further enacted by the authority aforesaid, That the Townships of Dover, Chatham, Camden, distinguished by being called Camden West, the Moravian tract of Land, called Orford, distinguished by Orford north and south, Howard, Harwich, Raleigh, Romney, Tilbury, divided into the east and west, with the township on the river Sainclair [Saint Clair], occupied by the Shawney [Shawnee, Walpole, Bkejwanong] Indians, together with the islands in the Lakes Erie and Sinclair wholly or in greater part opposite thereto, do constitute and form the County of Kent.

XXXIX. And be it further enacted by the authority aforesaid, That the Townships of Rochester, Mersea, Gosfield, Maidstone, Sandwich, Colchester, Malden, and the tracts of Land occupied by the Huron and other Indians upon the Strait, together with such of the islands as are in Lakes Erie, Sinclair, or the Straits, do constitute and form the County of Essex.

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XL. And be it further enacted by the authority aforesaid, That the Counties of Essex and Kent, together with so much of this Province as is not included within any other District thereof, do constitute and form the Western District.

XLI. And be it further enacted by the authority aforesaid, That this Act nor any part thereof, shall, take effect until from and after the fourteenth day of February next.